

SN. 10/669,899

ATTORNEY DOCKET NO. CANO:087

REMARKS

Claims 1-12 remain pending in this application for which applicants seek reconsideration.

Amendment

A more descriptive title has been given per the examiner's request. The Abstract has been amended to conform to U.S. practice, namely removing the reference numbers. Claims 1-8 have been amended to further clarify the first and second conveying paths, and claims 9-12 have been amended to clarify the first conveying path and the controller. These changes are for clarification purposes, not to define over prior art. No new matter has been introduced.

Drawing Objection

The drawings were objected to under Rule 83 because the examiner believes that the drawings do not illustrate a first sheet feed device that feeds tab sheets to an image transfer position via a first conveying path that inverts the tab sheet. Applicants traverse because Figs. 1, 4A, and 7A illustrate this feature. Specifically, all sheets fed from trays 21a, 21b, 21c, 21d or deck 28 can be fed to a conveying path that inverts the sheets. The associated rollers and the switching flapper can read on this feature. See the description on page 31 for example.

§ 112 Rejection

The examiner rejected claims 1-12 under 35 U.S.C. § 112, first paragraph, again based on what appears to be examiner's misunderstanding. The examiner believes that the specification does not support a conveying path that inverts the tab sheets. Fig. 1, Figs. 4A, and 7A clearly demonstrate how the conveying path inverts the sheets. Specifically, the sheets are inverted due to the conveying path being U-shaped. See at least pages 28 and 31.

Art Rejection

Claims 1-12 were rejected under 35 U.S.C. § 102(b) as anticipated by Nimura (JP 2000-338729). Applicants traverse this rejection at least because Nimura would not have disclosed or taught selecting a discharge device based on how the fed tab sheet is orientated, as set forth in claims 1-12.

Claims 1-12 relate to an image forming apparatus that automatically selects a predetermined sheet feed device or automatically selects a predetermined sheet feed device depending upon whether the tab sheets of the tab sheet bundle are set in a normal order or a

SN. 10/669,899

ATTORNEY DOCKET NO. CANO:087

reverse order, whether the sheet feed device feeds each tab sheet of the predetermined tab sheet bundle with the tab sheet inverted or not, or whether the sheet discharge device discharges the tab sheet in a face-up or face-down state.

Nimura discloses an image forming device for forming images on and binding the tab sheets. Paragraphs 25 and 28 of Nimura disclose that the image forming device comprises a feed tray 9, a discharge tray 10, feed cassettes 11-13, a conveying path 14, a reversal flapper 15, a discharge roller 16, and a conveying roller 17. The device further includes a sorter 8, which has a bin unit 18 with a plurality of bins for holding sheets. Paragraph 22 of Nimura discloses that the originals are placed in an upside down state when the left side binding is set in a copy mode. Although Nimura does not explicitly disclose how the tab sheets are fed, based on Figs. 6-8, it is believed that the tab sheets are fed from the feed cassette 13.

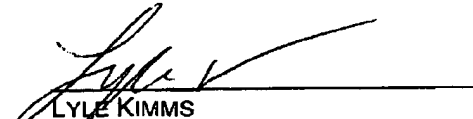
Although Nimura has a sorter with a plurality of output bins, Nimura fails to disclose or teach designating or selecting a bin onto which the tabs sheets are to be discharged based on their orientation. Nimura thus fails to disclose or teach selecting a predetermined discharge device from a plurality of sheet discharge devices. In short, Nimura simply does not disclose or teach a sheet discharge device that discharges each tab sheet of the tab sheet bundle in a face-up state and another sheet discharge device that discharges each tab sheet of the tab sheet bundle in a face-down state, as set forth in claims 1-12.

Conclusion

Applicants submit that claims 1-12 patentably distinguish over the applied reference and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicants urge the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

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REG. NO. 34,079 (RULE 34, WHERE APPLICABLE)

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01 AUGUST 2005
DATE